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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/558,567	04/26/2000	Douglas E. Meisner	07844-374001	9484

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EXAMINER

SMITH, PETER J

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 11/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PRE

Office Action Summary	Application No. 09/558,567	Applicant(s) MEISNER ET AL.	
	Examiner Peter J Smith	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: application filed on 04/26/2000.
2. Claims 1-33 are pending in the case. Claims 1, 15, and 29 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. (hereafter referred to as Brown), US 5,627,959 issued 05/06/1997.**

Regarding independent claims 1 and 15, Brown teaches receiving as an input a selection of a trigger event in col. 3 lines 1-28. Brown teaches grouping graphic objects with allowance for multi-level groups in fig. 1-3 and col. 6 lines 27-34. Brown teaches automatically identifying a plurality of regions of the interactive visual content in which swap visual content is to be displayed by the viewing application when a trigger event occurs in col. 3 lines 1-28. Brown teaches automatically generating visual content in fig. 9-11 and col. 13 line 21 – col. 15 line 4.

Brown does not explicitly teach intermediate visual content, but the multi-level graphics grouping could be used as intermediate visual content. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the multi-level graphics grouping taught by Brown as intermediate visual content to generate swap visual content. It

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would have been obvious and desirable to classify some of the group object as intermediate content to create dynamic visual content which could have been easily organized, maintained, and modified.

Regarding independent claim 29, Brown teaches receiving as an input a selection of a trigger event in col. 3 lines 1-28. Brown teaches receiving as an input a selection of a trigger region of interactive visual content associated with a trigger event in fig. 9-11 and col. 13 line 21 – col. 15 line 4. Brown teaches grouping graphic objects with allowance for multi-level groups in fig. 1-3 and col. 6 lines 27-34. Brown teaches automatically identifying a set of swap regions of the interactive visual content in which swap visual content is to be displayed by the viewing application when the trigger event occurs to the trigger region in col. 3 lines 1-28. Brown teaches automatically generating visual content in fig. 9-11 and col. 13 line 21 – col. 15 line 4.

Brown does not explicitly teach intermediate visual content, but the multi-level graphics grouping could be used as intermediate visual content. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the multi-level graphics grouping taught by Brown as intermediate visual content to generate swap visual content. It would have been obvious and desirable to classify some of the group object as intermediate content to create dynamic visual content which could have been easily organized, maintained, and modified.

Regarding dependent claims 2 and 16, Brown teaches generating instructions operable to cause a computer executing a viewing application to display swap visual content in identified regions when a trigger event occurs in fig. 9-11 and col. 13 line 21 – col. 15 line 4.

Regarding dependent claims 3 and 17, Brown teaches receiving as an input base visual content in col. 2 lines 58-60. Brown teaches automatically generating viewing visual content from the base visual content for display by a viewing application in fig. 9-11 and col. 13 line 21 – col. 15 line 4.

Regarding dependent claims 4 and 18, Brown teaches a trigger event associated with base visual content in col. 3 lines 1-28.

Regarding dependent claims 5 and 19, Brown teaches providing a content division structure that divides the viewing visual content into a plurality of sections in fig. 1-3. Brown teaches automatically identifying sections of visual content in which swap visual content is to be displayed by a viewing application when a trigger event occurs in col. 4 lines 6-19.

Regarding dependent claims 6 and 20, Brown teaches providing a content division structure that divides the viewing visual content into a plurality of sections, and wherein each section of the viewing visual content has a corresponding section in the base visual content in fig. 1-3 and col. 6 lines 27-34.

Regarding dependent claims 7 and 21, Brown teaches generating a viewing image file for each section of viewing visual content in fig. 1-3, col. 5 line 60 – col. 6 line 17, and col. 6 lines 27-34.

Regarding dependent claims 8 and 22, Brown teaches visual content including a plurality of sections, each section of the visual content having a corresponding section of base visual content in fig. 1-3, col. 5 line 60 – col. 6 line 17, and col. 6 lines 27-34.

Regarding dependent claims 9 and 23, Brown teaches determining, for each section of visual content, if the corresponding section of base visual content visually differs from that

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section of the intermediate visual content in fig. 1-3, col. 5 line 60 – col. 6 line 17, and col. 6 lines 27-34.

Regarding dependent claims 10 and 24, Brown teaches a pixel-by-pixel comparison is performed in order to determine, for each section of the visual content, if the corresponding section of the base visual content visually differs from that section of the visual content in fig. 1-3, col. 5 line 60 – col. 6 line 17, and col. 6 lines 27-34.

Regarding dependent claims 11 and 25, Brown teaches calculating an intermediate checksum for a section of visual content, calculating a base checksum for the corresponding section of base visual content, and if the intermediate checksum differs from the base checksum, identifying the section of the viewing visual content associated with that section of the visual content as a section in which swap visual content is to be displayed by the viewing application when a trigger event occurs in fig. 9-11 and col. 13 line 21 – col. 15 line 4.

Regarding dependent claims 12 and 26, Brown teaches generating, for each section of visual content that visually differs from the corresponding section of base visual content, a swap image file derived from that section of the visual content in fig. 1-3, col. 5 line 60 – col. 6 line 17, and col. 6 lines 27-34.

Regarding dependent claims 13 and 27, Brown teaches providing a content division structure that divides the viewing visual content into a plurality of sections and generating instructions operable to cause a computer executing the viewing application to display sections of viewing visual content in a table in fig. 1-3 and col. 4 lines 6-19.

Regarding dependent claims 14 and 28, Brown teaches providing a user interface enabling a designer to edit intermediate visual content as an integral unit in col. 5 lines 1-17.

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Regarding dependent claim 30, Brown teaches generating instructions operable to cause a computer executing a viewing application to display swap visual content in identified regions when a trigger event occurs in fig. 9-11 and col. 13 line 21 – col. 15 line 4.

Regarding dependent claim 31, Brown teaches receiving as an input base visual content in col. 2 lines 58-60. Brown teaches automatically generating viewing visual content from the base visual content for display by a viewing application in fig. 9-11 and col. 13 line 21 – col. 15 line 4.

Regarding dependent claim 32, Brown teaches a trigger event associated with base visual content in col. 3 lines 1-28.

Regarding dependent claim 33, Brown teaches providing a content division structure that divides the viewing visual content into a plurality of sections in fig. 1-3. Brown teaches automatically identifying sections of visual content in which swap visual content is to be displayed by a viewing application when a trigger event occurs in col. 4 lines 6-19.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chernock et al., US 6,314,569 B1 filed 11/25/1998 discloses displaying an enhanced multimedia presentation including personalized graphic content selectable by a user and rendered by a receiving device.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter J Smith whose telephone number is 703-305-5931. The examiner can normally be reached on Mondays-Fridays 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 703-305-9792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

PJS
September 22, 2003



SANJIV SHAH
PRIMARY EXAMINER